



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

October 7, 2005

Sarah Brown, Treasurer
Ohio State Central & Executive Committee
211 S. Fifth Street
Columbus, OH 43215

Response Due Date:
November 7, 2005

Identification Number: C00162339

Reference: Amended July Monthly Report (6/1/05 – 6/30/05), received 7/29/05

Dear Ms. Brown:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **An adequate response must be received at the Commission by the response date noted above.** An itemization of the information needed follows:

-Schedule B supporting Line 30(b) of your report discloses memo entries totaling \$2,302.05, which identify the original vendors of apparent charges made to credit card companies; however, your report discloses no payments associated with these memo entries. Please amend your report to clarify this apparent discrepancy.

-Schedule B supporting Line 21(b) of your report discloses a payment(s) totaling \$4,110.00 for "postage for solicitation mailing," "solicitation postage" and "postage for giving club solicitation". Expenditures and disbursements for public communications (as defined under 11 CFR §100.26) that refer to a clearly identified candidate for Federal office and that promote, support, attack or oppose any candidate for Federal office, meet the definition of Federal Election Activity under 11 CFR §100.24 and should be disclosed on Schedule B for Line 30(b) along with the identity of the candidate(s).

Further, public communications that meet the definition of Federal Election Activity and that also contain express advocacy as defined under 11 CFR §100.22, but do not meet the conditions of exempt activity, would constitute an in-kind contribution, an independent expenditure or a

coordinated party expenditure and should be properly disclosed on a Schedule B, E or F supporting Lines 23, 24 or 25, as appropriate, rather than on Schedule B for Line 30(b). Please clarify if this activity meets the definition of Federal Election Activity or if it contains express advocacy and amend your report to properly disclose this activity, if necessary.

-Schedule B of your report discloses a reimbursement(s) to an individual(s) for apparent travel and subsistence advances in which the total amount reimbursed exceeds \$500. When the reimbursement amount to staff for travel and subsistence advances exceeds \$500, the payments by committee staff that make up the reimbursement may have to be itemized. For example, if the related payment(s) to any one vendor by the staff aggregates \$200 or more for the calendar year, the payment(s) must be itemized as a memo entry for that reimbursement. Each memo entry must include the complete name and address of the original vendor, as well as the date, amount and an adequate purpose. If itemization is not necessary for a particular reimbursement to staff in excess of \$500, you must clarify this in an amendment to this report. Please amend your report to include the missing or clarifying information. 11 CFR §300.36(b) and Advisory Opinion 1996-20, footnote 3

-Schedule H4 supporting Line 21(a) of your report discloses a payment(s) for "chairmans auto lease," "clothing allowance for new employee," "expense allowance June 2005," "housing allowance for June 2005," "monthly expense allowance June 2005" and "staff addl life insurance." Please be advised that pursuant to 11 CFR §300.33(c)(2), salaries and wages for employees who spend more than 25% of their compensated time in a given month on Federal election activity or activities in connection with a Federal election must not be allocated between or among federal and non-federal accounts. Rather, only federal funds may be used. Further, the Commission concluded in Advisory Opinion 2003-11 that amounts spent for employee-specific "fringe benefits," consisting of health insurance, disability insurance, life insurance, retirement benefits and payroll taxes, fall into the category of compensated time.

Any reimbursement from your committee's non-federal account for this payment is not permissible and must be returned. Although the Commission may take further legal action regarding this improper allocation activity, your prompt action will be taken into consideration.

-Schedule H4 of your report discloses a payment(s) for "printing of field regions map" Please be advised that 11 CFR §100.24(b) defines as Federal

Election Activity, Voter identification, Generic Campaign and Get-out-the vote activities conducted in connection with an election in which one or more candidates for Federal office appear on the ballot. Furthermore, the costs for these types of Federal Election Activity must either be paid with federal funds or can be allocated between federal and Levin funds as long as the activity conducted does not refer to a clearly identified candidate for Federal office. It appears that you have allocated these costs between federal and non-federal funds. Any reimbursement from your committee's non-federal account for Federal Election Activity costs is not permissible and must be returned. 11 CFR §§300.32 and 300.33

Please inform the Commission of your corrective action immediately or provide clarifying information regarding this activity. Although the Commission may take further legal action regarding this apparent prohibited activity, your prompt action will be taken into consideration.

-Schedule H4 supporting Line 21(a) of your report discloses memo entries totaling \$1,567.98, which identify the original vendors of apparent charges made to credit card companies; however, your report discloses no payments associated with these memos. Please amend your report to clarify this apparent discrepancy.

-Your Amended 2005 May Monthly Report, Amended 2005 June Monthly Report and Amended 2005 July Monthly Report disclose limited payments for administrative expenses. Administrative expenses are payments made for the purpose of operating a political committee including, but not limited to, rent, utilities, salaries, telephone service, office equipment and supplies. Each state, district or local party committee utilizing separate federal and non-federal accounts is required to allocate any administrative expenses (excluding salary) between the accounts according to a fixed percentage selected on Schedule H1. A Schedule H1 must be filed with the first FEC FORM 3X filed at the beginning of each calendar year. Payments for salary and wages for employees who spend more than 25% of their compensated time on Federal election activities or on activities in connection with a Federal election must be made from a federal account and disclosed on a Schedule B supporting Line 30(b) of the Detailed Summary Page. 11 CFR §106.7

Any goods or services provided to your committee by a person, except volunteer activity (i.e., a person's time), would be considered an in-kind contribution from that person, and would be subject to the disclosure requirements of 2 U.S.C. §434(b)(3) and 11 CFR §104.13, and the limitations and prohibitions of 2 U.S.C. §§441a and 441b.

Clarification regarding administrative expenses should be provided during each two year election cycle beginning with the first report filed in the non-election year. Please provide the necessary information regarding administrative expenses incurred by your committee and/or amend your report to disclose such expenses according to the referenced provisions of the Act and Commission Regulations.

-Schedule B supporting Lines 21(b) and 30(b) of your report discloses reimbursements to individuals for "donor recognition gifts," "postage for solicitation mailing" and "general office supplies." Please be advised that when itemizing reimbursements to individuals for goods or services, if the payment to the original vendor aggregates in excess of \$200 in a calendar year, a memo entry including the name and address of the original vendor, as well as the date, amount and purpose of the original purchase must be provided. Please amend your report to include the missing information. If itemization is not necessary, you must indicate so in an amendment to this report. 11 CFR §§104.9 and 300.36(b), and Advisory Opinions 1992-1 and 1996-20, footnote 3

-Schedule B supporting Line 21(b) of your report discloses \$1,500.00 in activity identified as MEMO entries that do not appear to correspond with any itemized transaction(s). Please be advised, a memo entry is used to disclose additional information about an itemized transaction and the amount of a memo entry is not included in the total receipts or disbursements for the report. Please amend your report to provide clarifying information regarding this activity.

-Schedule H4 of your report discloses a reimbursement(s) to an individual(s) for apparent travel and subsistence advances in which the total amount reimbursed exceeds \$500. When the reimbursement amount to staff for travel and subsistence advances exceeds \$500, the payments by committee staff that make up the reimbursement have to be itemized as memo entries regardless of the amount. Each memo entry must include the complete name and address of the original vendor, as well as the date, amount and an adequate purpose. Please amend your report to include the missing information. 11 CFR §§104.10 and 104.17, and Advisory Opinion 1996-20, footnote 3

-Schedule H4 of your report discloses reimbursements to individuals for "expense allowance June 2005," "cell phone, meals, mileage," "general office supplies," "mileage, cell phone, meals on the road," "office supplies" and "office supplies-general." Please be advised that when itemizing

reimbursements to individuals for goods or services, payment to the original vendors must be itemized as memo entries regardless of amount. Each memo entry must include the name and address of the original vendor, as well as the date, amount and purpose of the original purchase must be provided. Please amend your report to include the missing information. 11 CFR §§104.10 and 104.17, and Advisory Opinions 1992-1 and 1996-20, footnote 3

-Commission records indicate the official name of your political committee is "Ohio State Central & Executive Committee." However, your committee has filed this report(s) using the name "Ohio Republican State and Central Executive Committee". While committees may use commonly recognized abbreviations on daily communications (i.e. letterhead and committee checks), committee filings such as disclosure reports and amendments must reflect the official name of the committee, as well as any abbreviation within its title. 11 CFR §102.2(a)(2) and 2 U.S.C. § 433(c) Please amend your Statement of Organization to reflect the apparent change

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. **Requests for extensions of time in which to respond will not be considered.** Failure to provide an adequate response by this date may result in an audit of the committee. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1157.

Sincerely,



Laura E. Sinram
Campaign Finance Analyst
Reports Analysis Division

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